

AF 2682
IFW

PTO/SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

33082

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 10/21/04

Signature

Typed or printed name

Aaron A. Fishman

In re Application of
Toshiyasu Kitamura et al.

Application Number
09/696,358

Filed
10/25/2000

For Keybutton Illuminating Device...

Art Unit

2682

Examiner

Yuwen Pan

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 340.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 16-0820. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 44682

Signature

Aaron A. Fishman

Typed or printed name

216-579-1700

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

October 21, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/27/2004 FNETEKI1 00000017 09696358

02 FC:1401

340.00 0P



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 09/696,358
Applicant : Toshiyasu Kitamura et al.
Filed : October 25, 2000
Title : KEYBUTTON ILLUMINATING DEVICE AND WIRELESS
COMMUNICATION TERMINAL APPARATUS EQUIPPED WITH
THE SAME

Conf. No. : 4607
TC/A.U. : 2682
Examiner : Yuwen Pan

Customer No. : 000,116
Docket No. : 33082

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Applicants have not received notice that the Amendment "D" dated September 16, 2004 responding the final Office Action of April 21, 2004 has been entered or allowed. Therefore, applicants enclose herewith a Notice of Appeal to maintain the pendency of this application. The required fee of \$340.00 under 37 CFR 41.20(b)(1) is enclosed.

Please note that Applicants previously obtained a two month extension of time, bringing the response date up to September 21, 2004. Applicant respectfully requests and petition for an addition one month extension of time, up to and including October 21, 2004. The additional fee of \$550.00 is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Aaron A. Fishman

Name of Attorney for Applicant(s)

October 21, 2004

Date

Signature of Attorney

10/27/2004 FNETEKI1 00000017 09696358

01 FC:1253

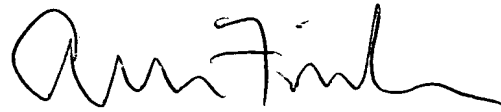
550.00 0P

If there are any further fees required by this communication which are not covered by an enclosed check, please charge such fees to our Deposit Account No. 16-0820, Order No. 33082.

Respectfully submitted,

PEARNE & GORDON LLP

By:



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October 21, 2004